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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,199	07/08/2003	Rolf Borneck	BORNECK 1	8020

25889 7590 08/23/2006

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EXAMINER
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PICO, ERIC E

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/615,199	BORNECK, ROLF	
	<b>Examiner</b>	<b>Art Unit</b>	
	Eric Pico	3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date: _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____                                                            | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/08/2006 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 and 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiu U.S. Patent No. 5839543 in view of Keast U.S. Patent No. 4852300 and Urquhart U.S. Patent No. 2841390.

4. **Regarding claim 1**, Chiu discloses an elevator shaft door disposed in a frame 20, the door comprising: two parallel tracks 30, 40 disposed in the frame 20; two rolling carriages 31, 41, comprising: a first rolling carriage 41 for rolling in a first of the two parallel tracks 40, wherein the first rolling carriage 41 has a rolling wheel carrier, not

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numbered but shown in Figures 3-5, that has rollers 53 mounted on its upper end to the first parallel track 40; a second rolling carriage 31 for rolling in a second of the two parallel tracks 30; two panels 25 comprising: a first panel 25 which is suspended on the first rolling carriage 41; a second panels 25 which is suspended on the second rolling carriage 31; one tension cable 60 that is fixed in place 27 and has ends, wherein the tension cable 60 ends are coupled to the first rolling carriage 41; and two deflection rollers 33, 34 that are mounted to rotate on the second rolling carriage 31, wherein the two deflection rollers 33, 34 are adapted to rotate around a vertical axis of rotation and wherein the two deflection rollers 33, 34 are coupled to the second rolling carriage 31 in a manner to substantially minimize a space occupied by the two deflecting rollers 33, 34; wherein the two panels 25 perform movements of different lengths in a same direction during an opening and closing movement and move past each other with a changing overlap during the opening and closing movement on the two parallel tracks 30, 40, wherein ends of the tension cable 60 connected to a back end of the first rolling carriage 41 oriented in the closing direction, wherein one end of the tension cable 60 becomes shorter during a closing movement of the first panel 25, which moves ahead of the second panel 25 during the closing movement, and wherein the tension cable 60 is guided around the deflection rollers 33, 34.

5. Chiu is silent concerning the tension cable ends are coupled to the first rolling carriage with a parallel offset, each of the two deflection rollers have a different diameter to form a smaller deflection roller and a larger deflection roller, and wherein one end of the tension cable is guided around the smaller deflection roller, and wherein the end of

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the tension cable that is guided around the smaller deflection roller is attached to a side of the rolling wheel carrier that faces the second rolling carriage, and wherein the tension cable has another end that is guided around the larger deflection roller, wherein the other end of the tension cable is connected to a side of the rolling wheel carrier that faces opposite the second rolling carriage.

6. Keast teaches tension cable, referred to as roller chain 21, 24 coupled to a first rolling carriage, referred to as leading gate 11, with a parallel offset.

7. Urquhart teaches the use of a plurality of deflection rollers 29, 30, 34, 35, 39, and 40 adapted to rotate around a vertical axis of rotation having a different diameter to form smaller deflection rollers 29, 34, and 39 and larger deflection rollers 30, 35, and 40, wherein an end of a tension cable 22, 23 is guided around a smaller deflection roller 29, 34, 39, wherein the tension cable 22, 23 is guided around two deflection rollers, and wherein the end of the tension cable 22, 23 that is guided around the smaller deflection roller 29, 34, 39 is attached to a side of the rolling wheel carrier that faces the second rolling carriage 2, 3, 4, and wherein the tension cable 22, 23 has another end that is guided around the larger deflection roller 30, 35, 40, wherein the other end of the tension cable 22, 23 is connected to a side of the rolling wheel carrier that faces opposite the second rolling carriage 1, 2, 3.

8. It would have been obvious to one of ordinary skill in the art at the time of the invention to couple the tension cable ends to the first rolling carriage disclosed by Chiu with a parallel offset as taught by Keast to guide and apply tension to the tension cable within in a small confined frame.

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9. It would further have been obvious to one of the ordinary skill in the art at the time of the invention to mount deflection rollers having different diameters taught by Urquhart to the rolling wheel carriers disclosed by Chiu to guide and apply tension to the tension cable within in a small confined frame.

10. **Regarding claim 3**, Chiu further discloses the second rolling carriages 31 has rolling wheel carriers (not numbered but shown in Figures 3-5) that has rollers 53 mounted on an upper end of the second panel 25, wherein the rolling wheel carrier has two additional horizontal surfaces on a front and a back end, based up a closing direction, of plurality of panels 25 wherein deflection rollers are mounted on additional horizontal surfaces.

11. Chiu is silent concerning the tension cable is guided around a smaller and larger deflection roller.

12. Urquhart further teaches mounting smaller deflection rollers 29, 34, and 39 and large deflection rollers.

13. It would have been obvious to one of the ordinary skill in the art at the time of the invention to mount deflection rollers having different diameters taught by Urquhart to the rolling wheel carriers disclosed by Chiu to guide and apply tension to the tension cable within in a small confined frame.

14. **Regarding claim 4**, Chiu further discloses two horizontal surfaces having a ridge, which forms reinforcements (not numbered but shown in Figures 3 and 4). The ridge is positioned on a side facing away from the plurality of deflection rollers 33 and 34.

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15. **Regarding claim 5**, Chiu further discloses the rolling wheel carriers (not numbered but shown in Figures 3-4) coupled to the first rolling carriage 41 comprises a shaped sheet metal profile.

16. **Regarding claim 6**, Chiu further discloses rolling wheel carriers (not numbered but shown in Figures 3-4) coupled to the second rolling carriage 31 comprises a shaped sheet metal profile.

17. **Regarding claim 7**, Chiu is silent concerning two deflection rollers aligned on two different vertical axes that have a parallel offset.

18. Urquhart further teaches two deflection rollers 39, 40 are aligned on two different vertical axes that have a parallel offset. Parallel offset of the different vertical axes are adapted so that all segments of tension cables 24 that are guided around plurality of deflection rollers 29, 30, 34, 35, 39, and 40, extend parallel to a running direction of panels 1, 2, 3, and 4.

19. Keast further teaches two deflection rollers are aligned on two different axes that have a parallel offset, wherein the parallel offset of the two different axes are adapted so that all segments of the tension cable 21, 24 extend parallel to a running direction of panels.

20. It would have been obvious to one of the ordinary skill in the art at the time of the invention to provide the elevator shaft door disclosed by Chiu with deflection two deflection rollers aligned on two different axes that have a parallel offset to guide and apply tension to the tension cable within in a small confined frame.

***Response to Arguments***

21. Applicant's arguments filed 08/08/2006 have been fully considered but they are not persuasive.

22. Regarding applicant's argument that the design of Keast is substantially different from that of the present invention. Keast is relied upon for the teachings of tension cable ends coupled to a first rolling carriage with a parallel offset, clearly shown in Figure 3.

23. Regarding applicant's argument that Urquart does not show that the cable is coupled to two different sides of the same panel. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the cable is coupled to two different sides of the same panel and a slight vertical as well as a slight horizontal construction space required for housing the guide mechanisms of the panels) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

***Conclusion***

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Pico whose telephone number is 571-272-5589. The examiner can normally be reached on 6:30AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Matecki can be reached on 571-272-6951. The fax phone



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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP

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